10. Grievances of the Punja ryots and some suggestions for their remedy.

Mr. C. A. Thomas B. A. (Member, Kottayam Taluk) said that the attention bestowed by Government on the difficult question of putting up bunds for the *punja* fields was inadequate. It often happened that, on account of various causes such as personal animosity and the like, a small minority of the ryots of some blocks of *punja* fields obstinately refused to construct ring bunds in time and this rendered cultivation impossible and caused enormous loss to the remaining ryots. Such occurrences were taking place year after year. The annual drainage of *punja* fields for purposes of cultivation by means of indigenous water-wheels or by pumping engines was also rendered impossible by the utter lack of co-operation among the *punja* ryots. As a remedy against the above evils, he advocated the establishment, on a legal basis, of Irrigation or Agricultural Panchayats, to deal effectively with such questions, and made the following suggestions for consideration in that connection :—

(1) The unit of area under the control of one Panchayat should be a minimum extent of 500 acres of *punja* fields.

(2) The membership should be extended to people owning not less than one acre, each of whom must have one vote. The Panchayat should consist of from 5 to 7 members according to the varying extent of the blocks. If the number of members be 7, five of them must be elected members, while the remaining two should be nominated by the Government from among the landholders who possessed less than one acre of *punja* lands, and were thus disqualified for vote. An executive staff of two honorary members should be elected from among these seven members.

(3) The work of the Panchayat should, in the main, be to see that the principal bunds are in such a condition as to render cultivation feasible on the areas on or before a date fixed in accordance with the notices to be issued at their instance through the Taluk offices. In cases of default, another notice should be issued to the effect that, if the ryots did not discharge this duty within a specified time, the Panchayat would do the work, at a penalty cost, within a fixed time, and realise the penalty from them. As regards the draining of the fields by water-wheels, the Panchayat might cause a similar notice to be issued to the effect that it should be done within a fixed time, in default of which the Panchayat might take up the work at a penalty cost and realise the amount from the ryots concerned. In case water had to be pumped out by means of pumping engines, the Panchayat might cause a notice to be issued to the *punja* ryots concerned, urging them to make due contribution of their shares of the pumping expenses, and if any ryot defaulted to pay within the time notified, the Panchayat might do the work at a penalty cost and realise the amount.

(4) It should be stipulated that all amounts pertaining to the Panchayats shall be recoverable in the same manner as arrears of land revenue.

(5) The honorary members who form the executive staff must summon the Panchayat and conduct the business, and also keep a detailed account of the work of the Panchayat. The Panchayat should be subjected to occasional inspection by the local Tahsildar who might submit reports to the Government or to any officer the Government might specially depute for the purpose.

(6) The quorum of the Panchayat might be three-fifths of the members on the Panchayat, and in case this resulted in a fraction, the next higher whole number should be the quorum.

(7) Opinions by proxy might be allowed for once to members on the Panchayat, if their absence was due to *bona fide* and unavoidable circumstances, but continuous absence from the Panchayats for more than three consecutive meetings should debar any member from his seat on the Panchayat. The opinion of the majority should prevail in cases of differences of opinion.

(8) Accounts should be strictly kept of all moneys the Panchayat might keep, collect, or receive, in the discharge of their legitimate functions.

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(9) The penalty costs referred to above should in no case exceed double the actual cost.

(10) The term of the Panchayat might be five years, and before the expiry of the same, the standing Panchayat should move the Government to accord permission to conduct the election of the next Panchayat, ex-members not being disqualified for re-election.

(11) Any irregularity of the Panchayat, based on the report of either the two executive members or on that of the local Tahsildar or based on other complaints, should be enquired into by the Government. Subsequently, notices might be issued to the Panchayat concerned to rectify the irregularities within a fixed time, and on its failure to do so, the dissolution of the Panchayat might be ordered.

(12) Petitions and complaints regarding the Panchayat should not be taken notice of by the Government or the local Tahsildar unless and until the petitioner or complainant first obeyed and carried out the orders of the Panchayat.

The Member next urged the need for granting some relief to those *punja* ryots who suffered from failure of crops due to breaches of bunds. He said that, while in South Travancore the ryots were allowed remission of tax for *karivu*, North Travancore ryots who suffered more serious loss by crop failures due to breaches of bunds, in spite of their genuine and honest efforts towards making very strong bunds for the protection of their fields, were not allowed any concessions. He referred to the recent breach of the bunds of the C Block of the Vembanad lake and prayed for the extension of the remission rules to the *punja* fields and for the postponement of the recovery of *tharavila* for one year at least.

Referring to the *kayal* cultivation of Kuttanad, the Member said that the *kayal* reclamations could be cultivated only in alternate years and even that only for a period of 10 or 12 years, on the expiry of which the soil became exhausted and lost its fertility. He also apprehended that the frequent breaches of bunds in the reclamations, as in the case of the C Block which brought about a loss of one and a half lakhs of rupees, were due to the existence of under-currents in the water. It was, he said, the duty of Government to find out the remedial measures and he suggested the desirability of appointing a capable agricultural specialist to give expert advice to the ryots in such matters.

In regard to the vexed question of *poramboke* encroachments, he submitted that the matter was causing a great deal of unpleasantness all over the State and that the irregularities in survey were many and varied. To remedy the evils complained of, the Member suggested the appointment of an agricultural expert, whose duty should be to inspect the encroachments in the presence of the parties concerned and determine amicably what portions of the *porambokes* might, without prejudice to the best agricultural interests of the State, be left to be owned by the ryots themselves on payment of a moderate compensation. Similarly, another P. W. D. expert should be appointed to determine what portions of the *porambokes* should be retained by Government for such purposes as the removal of the curves of canals and for general traffic. Lastly, the planting of cocoanut trees on the bunds of *punja* fields should not be treated as *poramboke* encroachments, but the trees should be registered in the names of those who planted them without the levy of any additional assessment thereon.

Dewan's reply.—The first point raised by you is the lack of co-operation in regard to the putting up of bunds in *punja* lands and in regard to draining the lands before cultivation. It was with a view to remedy this defect that the Irrigation Regulation was amended recently. The amended Regulation makes it possible to create Irrigation Boards. These boards, which will be mainly non-official, could exercise all or most of the powers referred to by you. In regard to the nature of these boards, their constitution, etc., they are points of detail which will have to be worked out hereafter and rules framed. The details have been worked out in regard to the Irrigation Boards for the Kodayar area. In regard to *punja* lands, the details will have to be worked out, and in doing so, the *punja* ryots will be consulted.

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You have next raised the question of remission on account of breaches of bunds. The rules in force on the subject do not contemplate remission in such cases, but you want those rules to be amended. The question is one which would involve Government in a large financial commitment, and I do not think that it can be answered in a hurry. In cases of wide-spread calamity, remissions are allowed even now in Central and North Travancore as a matter of grace. Only a few days ago, remission to the extent of over Rs. 2,000 was granted in regard to the West Kallada *pakuthi* where there was inundation.

You then referred to *kayal* cultivation and the exhaustion of *kayal* land. That is a new question. I thought that, of all soils in the country, *kayal* soil was one of the most fertile, but any soil would get exhausted if cultivation is continued without allowing the soil time to recuperate. That is, however, a matter for the Director of Agriculture. I am sure he would look into it and suggest the necessary remedy.

You have also referred to Agricultural Engineering. I believe there is necessity for an Agricultural Engineer. But that means money again, and it should be examined if Government can afford to have an officer.

In regard to encroachments on *kayals*, there is already a rule which requires that the P. W. D. should inspect the encroachments and state whether they are objectionable or not. I do not see what an Agricultural Officer can do in the matter.

11. Need for assigning lands on concessional terms.

Mr. Utuppan Tomman (Member, Todupuzha Taluk) said that the rates of *tharavila*, *thadivila* and assessment under the Revised Puduval Rules were very heavy. He strongly criticised the new Rules and said that the old rules recognised occupancy right and first application as the deciding factors in the assignment of *puduval* lands, while the provisions relating to auction sale in the new Rules had nullified the effect of those wholesome principles, and made it possible for the rich foreigner to buy up all lands at the auction to the exclusion of the poor ryots of the State. The Member, therefore, made the following suggestions for the consideration of Government:—

(1) The system of auctioning *puduval* lands should be changed and arrangements made for the registry of lands in the names of occupants in the case of occupied lands and in the names of first applicants in the case of unoccupied lands.

(2) The *tharavila* for *puduval* lands should be reduced to Rs. 3 per acre; the *tharam* assessment to be levied on such lands should be moderate and should never be greater than the *tharam* fixed at the Settlement for similar neighbouring lands; and *tharavila* and other dues should be made payable in easy instalments within a period of 3 years.

(3) Past occupations of the ryots over swampy areas within reserves should be recognised and the lands assigned to them.

(4) Dry lands within reserved forests should be relinquished and granted on registry to ryots holding wet lands on a fixed and moderate *tharavila* at the rate of two acres of dry land for every acre of wet land.

(5) All swampy lands within reserved forests, which were not likely to be of use to the Government in the near future, should be disafforested and assigned to the people.

Dewan's reply.—The Member's speech is mostly confined to an attack on the working of the Revised Puduval Rules. These rules were passed after very careful consideration, and after they were subjected to criticism by the people for months and by the Members of this Assembly last year. An extensive revision of the Puduval Rules so soon is a matter which I think this House itself would deprecate. If there are any particular points which require attention, they could be attended to and minor defects remedied. But the policy laid down in these rules should be tried for some time. You complain about the rules regarding *tharavila* and *thadivila*. No fixed *tharavila* has been prescribed in the rules; they only prescribe certain minima for particular kinds of lands. The rules provide for grant of lands without

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